ENG Form 4345

APPLICATION FOR DEPARTMENT OF THE ARMY PERMIT
(33 CFR 325)

OMB APPROVAL NO. 0710-0003
Expires December 31, 2004

The Public burden for this collection of information is sestimated to average 10 hours per response, although the majority of applications should require 5 hours or less. This includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Department of Defense, Washington Headquarters Service Directorate of Information Operations and Reports, 1215 Jefferson Davis Highway, Suite 1204, Arlington, VA 22202-4302; and to the Office of Management and Budget, Paperwork Reduction Project (0710-0003), Washington, DC 20503. Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number. Please DO NOT RETURN your form to either of those addresses. Completed applications must be submitted to the District Engineer having jurisdiction over the location of the proposed activity.

PRIVACY ACT STATEMENT

Authorities: Rivers and Harbors Act, Section 10, 33 USC 403; Clean Water Act, Section 404, 33 USC 1344; Marine Protection , Research and Sanctuaries Act, 33 USC 1413, Section 103. Principal Purpose: Information provided on this form will be used in evaluating the application for a permit. Routine Uses: This information may be shared with the Department of Justice and other federal, state, and local government agencies. Submission of requested information is voluntary, however, if information is not provided the permit application cannot be evaluated nor can a permit be issued.

One set of original drawings or good reproducible copies which show the location and character of the proposed activity must be attached to this application (see sample drawings and instructions) and be submitted to the District Engineer having jurisdiction over the location of the proposed activity. An application that is not completed in full will be returned.

(ITEMS 1 THRU 4 TO BE FILLED BY THE CORPS)

1. APPLICATION NO.	2. FIELD OFFICE CODE	3. DATE RECEIVED	4. DATE APPLICATION COMPLETED

(ITEMS BELOW TO BE FILLED BY APPLICANT)

5. APPLICANT'S NAME	8. AUTHORIZED AGENT'S NAME AND TITLE *(an agent is not required)*
6. APPLICANT'S ADDRESS	9. AGENT'S ADDRESS
7. APPLICANT'S PHONE NOS. W/AREA CODE a. Residence b. Business	10. AGENT'S PHONE NOS. W/AREA CODE a. Residence b. Business

11. STATEMENT OF AUTHORIZATION

I hereby authorize, _____ to act in my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this permit application.

APPLICANT'S SIGNATURE DATE

NAME, LOCATION AND DESCRIPTION OF PROJECT OR ACTIVITY

12. PROJECT NAME OR TITLE *(see instructions)*

13. NAME OF WATERBODY, IF KNOWN *(if applicable)*	14. PROJECT STREET ADDRESS *(if applicable)*
15. LOCATION OF PROJECT COUNTY _____ STATE _____	

16. OTHER LOCATION DESCRIPTIONS, IF KNOWN, *(see instructions)*

17. DIRECTIONS TO THE SITE

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ENG Form 4345 cont.

18. Nature of Activity (*Description of project, include all features*)

19. Project Purpose (*Describe the reason or purpose of the project, see instructions*)

USE BLOCKS 20-22 IF DREDGED AND/OR FILL MATERIAL IS TO BE DISCHARGED

20. Reason(s) for Discharge

21. Type(s) of Material Being Discharged and the Amount of Each Type in Cubic Yards

22. Surface Area in Acres of Wetlands or Other Waters Filled (*see instructions*)

23. Is Any Portion of the Work Already Complete? Yes ____ No ____ IF YES, DESCRIBE THE COMPLETED WORK

24. Addresses of Adjoining Property Owners, Lessees, Etc., Whose Property Adjoins the Waterbody (If more than can be entered here, please attach a supplemental list).

25. List of Other Certifications or Approvals/Denials Received from other Federal, State or Local Agencies for Work Described in This Application.

AGENCY	TYPE APPROVAL*	IDENTIFICATION NUMBER	DATE APPLIED	DATE APPROVED	DATE DENIED

*Would include but is not restricted to zoning, building and flood plain permits

26. Application is hereby made for a permit or permits to authorize the work described in this application. I certify that the information in this application is complete and accurate. I further certify that I possess the authority to undertake the work described herein or am acting as the duly authorized agent of the applicant.

SIGNATURE OF APPLICANT ____ DATE ____ SIGNATURE OF AGENT ____ DATE

The application must be signed by the person who desires to undertake the proposed activity (applicant) or it may be signed by a duly authorized agent if the statement in block 11 has been filled out and signed.

18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry, shall be fined not more than $10,000 or imprisoned not more than five years or both.

26a Application

APPLICATION FOR
Department of the Army (*DA*) Permit and/or Tennessee Valley Authority (*TVA*) Section 26a Approval

The Department of the Army (DA) permit program is authorized by Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act (P.L. 95-217). These laws require permits authorizing structures and work in or affecting navigable waters of the United States and the discharge of dredged or fill material into waters of the United States. Section 26a of the Tennessee Valley Authority Act, as amended, prohibits the construction, operation, or maintenance of any structure affecting navigation, flood control, or public lands or reservations across, along, or in the Tennessee River or any of its tributaries until plans for such construction, operation, and maintenance have been submitted to and approved by the Tennessee Valley Authority (TVA).

Name and Address of Applicant	Name, Address, and Title of Authorized Agent
Telephone Number Home _____ Office _____	Telephone Number Home _____ Office _____
Location where activity exists or will occur (include Stream Name and Mile, if known)	Application submitted to DA ☐ Yes ☐ No TVA ☐ Yes ☐ No Date activity is proposed to commence _____ Date activity is proposed to be completed _____

Describe in detail the proposed activity, its purpose and intended use (private, public, commercial, or other). Describe structures to be erected including those placed on fills, piles, or floating platforms. Also describe the type, composition, and quantity of materials to be discharged or placed in the water; the means of conveyance; and the source of discharge or fill material. Please attach additional sheets if needed.

Application is hereby made for approval of the activities described herein. I certify that I am familiar with the information contained in this application, and that to the best of my knowledge and belief such information is true, complete, and accurate. I further certify that I possess the authority to undertake the proposed activities. **I agree that, if this application is approved by TVA, I will comply with the attached terms and conditions and any special conditions that may be imposed by TVA at the time of approval. Please note the U.S. Army Corps of Engineers may impose additional conditions or restrictions.**

_____ _____

Date Signature of Applicant

18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of The United States knowingly and willfully falsifies, conceals, or covers up by any trick, scheme, or device a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statement or entry, shall be fined not more than $10,000 or imprisoned not more than five years, or both. The appropriate DA fee will be assessed when a permit is issued.

26a Application Cont.

Names, addresses, and telephone numbers of adjoining property owners, lessees, etc., whose properties also join the waterway.

List of previous DA/TVA permits/approvals ☐ DA _____ (Permit Number) ☐ TVA _____ (Date)

Is any portion of the activity for which authorization is sought now complete ☐ YES ☐ NO

If answer is "Yes" attach explanation. Month and year the activity was completed _____

Indicate the existing work on the drawings.

List all approvals or certifications required by other federal, interstate, state, or local agencies for any structures, construction, discharges, deposits, or other activities described in this application.

Issuing Agency	Type Approval	Identification No.	Date of Application	Date of Approval

Has any agency denied approval for the activity described herein or for any activity directly related to the activity described herein?

☐ Yes ☐ No (If "Yes" attach explanation)

Two sets of original drawings on 8" x 10 1/2" tracing paper or good reproducible copies that show the location and character of the proposed activity must be attached to this application (see sample drawings) and be submitted to the appropriate U.S. Army Corps of Engineers and TVA offices at the addresses listed below. An application that is not complete will be returned for additional information, Information in the application is made a matter of public record through issuance of a public notice, if warranted. Disclosure of the information requested is voluntary; however, the data requested are necessary in order to communicate with the applicant and to evaluate the application. If necessary information is not provided, the application cannot be processed nor can a permit/approval be issued.

Department of the Army Offices

U.S. Army Corps of Engineers
Western Regulatory Field Office
2042 Beltline Rd, SW, Bldg. C, Suite 415
Decatur, Alabama 35601
Phone: 256/350-5620
Fax: 256/350-5499

Commander, Nashville District
U.S. Army Corps of Engineers
Regulatory Branch
3701 Bell Road
Nashville, Tennessee 37214
Phone: 615/369-7500
Fax: 615/369-7501

TVA Office Locations

Tennessee Valley Authority
Reservoir Land Management Office
Wheeler/TimsFord/Normandy
Post Office Box 1010
Muscle Shoals, Alabama 35662
Phone: 256/ 386-2560
Fax: 256/ 386-2559

Tennessee Valley Authority
Reservoir Land Management Office
SB 1H Pickwick/Wilson
Post Office Box 1010
Muscle Shoals, Alabama 35662
Phone: 256/ 386-2228
Fax: 256/386-2954

Tennessee Valley Authority
2325 Henry Street
Guntersville, Alabama 35976-1868
Phone: 256/571-4284
Fax: 256/571-4282

Tennessee Valley Authority
Post Office Box 280
Paris, Tennessee 38242-0280
Phone: 901/641-2000
Fax: 901/642-0754

Preconstruction Notification Checklist-Applicant

CHECK SHEET FOR APPLICANT: Nationwide Permit General Condition 27 (b) Contents of Pre-Construction Notification

The Pre-Construction Notification (PCN) must be in writing and include the following information:

____ (1) Name, address and telephone numbers of the prospective permittee

_____ (2) Location of the proposed project:
- _____ Vicinity Map (general area showing major roads, highways)
- _____ Location Map of the project
- _____ Latitude/ longitude
- _____ Section-Township-Range
- _____ Adjacent property owners (helpful but not required)

_____ (3) A description of the proposed project
- _____ the project's purpose;
- _____ direct and indirect adverse environmental effects the project would cause
- _____ any other NWP(s), regional general permit(s), or individual permit(s) used or intended to be used to authorize any part of the proposed project or any related activity.
- _____ The description should be sufficiently detailed to allow the district engineer to determine that the adverse effects of the project will be minimal and to determine the need for compensatory mitigation.
- _____ Sketches should be provided when necessary to show that the activity complies with the terms of the NWP. (Sketches usually clarify the project and when provided results in a quicker decision.).

_____ (4) **DELINEATION:** The PCN must include a delineation of special aquatic sites and other waters of the United States on the project site. Wetland delineations must be prepared in accordance with the current method required by the Corps. *See RGL 07-01 - Guidance for Documenting Jurisdiction under Sections 9 & 10 of the Rivers & Harbor Act of 1899 and Section 404 of the CWA*
- _____ Vicinity Map (general area showing site and major roads, highways)
- _____ Location Map of the project
- _____ Latitude/ longitude
- _____ Section-Township-Range
- _____ Wetlands delineation map
  - _____ Sampling points shown
- _____ Wetland Data Sheets with sampling points (cross-referenced to delineation map)
- _____ Ordinary high water mark, high tide line or mean high water mark (if applicable)
- _____ Name of waterbody (if applicable)
- _____ Discussion of Land Use (forested, agricultural, previously disturbed, etc.)
- _____ Aerial Photograph *
- _____ Soil Survey(s) *
- _____ Previous JD File number * _____ date _____
- _____ Description of natural environment *
  - _____ Description to include the plant community and stage of succession *
- _____ Discussion of hydrology (streams, ditches, source of water to site, etc.) *
- _____ Discussion of topography of site as related to wetlands *
- _____ Other info (watershed studies, scientific literature, etc.) *

* *Indicates this is information that is useful but not required for the PCN to be complete*

_____ (5) **MITIGATION:** If the proposed activity will result in the loss of greater than 1/10 acre of wetlands and a PCN is required, the prospective permittee must submit a statement describing how the mitigation requirement will be satisfied. As an alternative, the prospective permittee may submit a conceptual or detailed mitigation plan.

____ Yes. ____No - Wetlands loss, greater than 1/10 acre. (If wetland loss is greater than 1/10 acre, see below.)
- ____ Yes. ____No - Mitigation proposed
- ____ PCN is not complete because the prospective permittee is required to submit a statement describing how the mitigation requirement will be satisfied OR a conceptual or detailed mitigation plan

_____ (6-a) **ENDANGERED SPECIES:** If project has been coordinated with the U.S. Fish and Wildlife Service, please provide a copy of the FWS letter.

If any listed species or designated critical habitat might be affected or is in the vicinity of the project, or if the project is located in designated critical habitat, for non-Federal applicants the PCN must include the name(s) of those endangered or threatened species that may be affected by the proposed work or utilize the designated critical habitat that may be affected by the proposed work. *Federal applicants must provide documentation demonstrating compliance with the Endangered Species Act.*

_____ (6-b) **HISTORIC PROPERTIES:** Please provide any correspondence with the State Historical Preservation Officer and any cultural resources survey(s) that may have been performed on the project site.

For an activity that may affect a historic property listed on, determined to be eligible for listing on, or potentially eligible for listing on, the National Register of Historic Places, for non-Federal applicants the PCN must state which historic property may be affected by the proposed work or include a vicinity map indicating the location of the historic property. *Federal applicants must provide documentation demonstrating compliance with Section 106 of the National Historic Preservation Act.*

Components of a Complete DA Application

Components of a Complete DA Application

1. **Information that should be included on the application:**
   a. Applicant Information:
      i. Name and Company, if applicable
      ii. Mailing address
      iii. Phone number
      iv. Fax number (if available)
      v. E-mail address (if available)

   b. Agent/Consultant Information:
      i. Name & Company
      ii. Mailing address
      iii. Phone number
      iv. Fax number (if available)
      v. E-mail address (if available)

   c. Project Location:

      i. USGS Quad map (include name) showing location
      ii. Highway or county map showing location
      iii. County where the activity is proposed
      iv. Nearest town, city or street/road
      v. Streams, rivers or water bodies proposed to be affected by the proposed activity; if none, the name of the nearest waterbody
      vi. Latitude and longitude of the activity in decimal degrees (if multiple impacts are proposed, list the latitude and longitude of each impact). Directions from the nearest main road/highway

   d. Project Schedule:
      i. Proposed start date of project
      ii. Proposed end date of project
      iii. Note if any portion of the activity has been completed (e.g., grading)
   e. Signature of the applicant and agent if applicable

** The original signed and completed application form must be submitted

2. **Project Description**
   a. A detailed narrative describing the following:
      i. the extent of the project
      ii. **existing** stream and/or wetland characteristics including, but not limited to, dimensions (e.g., depth, length, average width), substrate and riparian vegetation
      iii. **proposed** stream and/or wetland characteristics including, but not limited to, dimensions (e.g., depth, length, average width), substrate and riparian vegetation
      iv. location and total amount of clearing and grading
   b. Photographs of the site and water resources (photo locations should be noted on a site map)
   c. In the case of wetlands, include a wetland delineation with delineation forms (data sheets completely filled out including lat/long for each data point on form) and site map denoting location of data points
   d. Description of any other alterations to the properties of waters of the state that require approval from any other state, federal, or local government agency associated with the project site. Please note if approval has been obtained.

Components of a Complete DA Application Cont.

3. **Purpose and justification:**
   a. Describe the overall purpose of the proposed activity
   b. Describe the need for the proposed activity and overall project

4. **Alternatives Analysis:** (for Individual Permits)
   a. An alternatives analysis must describe all reasonable alternatives that avoid and minimize the proposed impacts. The alternative analysis must include the following:
      i. a detailed description of each alternative
      ii. feasibility of each alternative
      iii. social and economic considerations of each alternative (only for IARAPs)
      iv. environmental consequences of each alternative

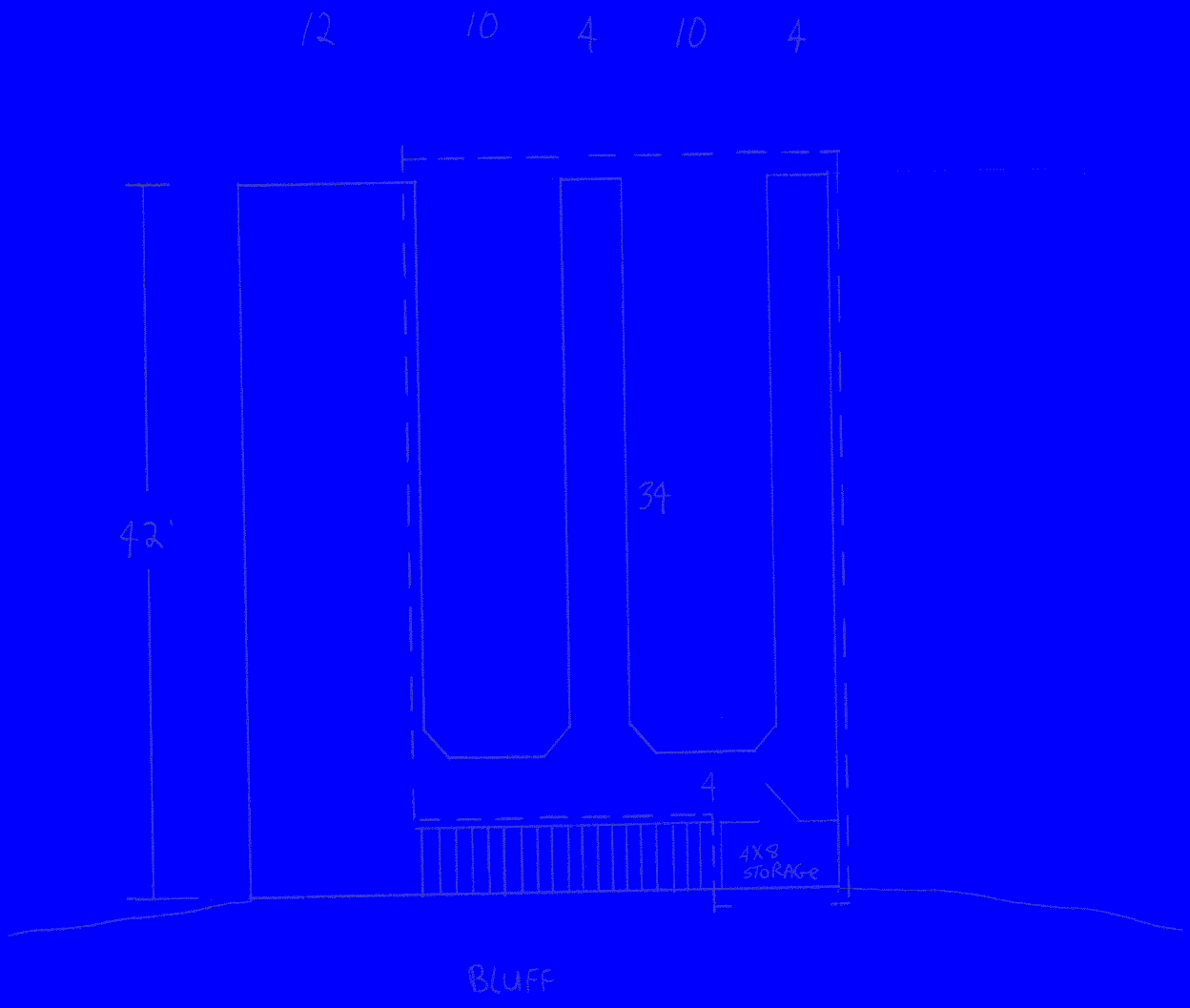
5. **Mitigation:**
   a. If you believe mitigation is not required, please provide a rationale
   b. A detailed description of proposed mitigation, if required
   c. A detailed discussion of why you believe the mitigation proposal would result in no net loss of resource value
   d. WRAP sheets/stream SOP as applicable

6. **Technical Information:** (the technical information may change depending on the proposed alteration)
   a. Detailed plans, blueprints, or legible sketches of the existing conditions and proposed conditions.
      i. Plans should be 8.5 x 11. Larger plans may be acceptable if needed to accommodate pertinent information.
      ii. The plans need to include dimensions (e.g., depth, length, average width) substrate and riparian vegetation of the existing and proposed stream and/or wetland
   b. If mitigation is required, submit detailed plans, blueprints, or legible sketches of proposed mitigation.
   c. For both the alteration and mitigation, please provide a discussion regarding the sequencing of events. Provide a discussion of how each event would be performed (include methods and equipment).
   d. Location and type of sediment and erosion control measures. It is preferred that they be identified on the detailed plans.

7. **Fees: DA fees paid on issuance of permit**
   a. General Permits require no fee
   b. Private: $10.00
   c. Commercial: $100.00
   d. Governmental: No fee

**The list provided above is a general list needed for all permits. Additional information may be required following staff review of the application.

Example of Drawing



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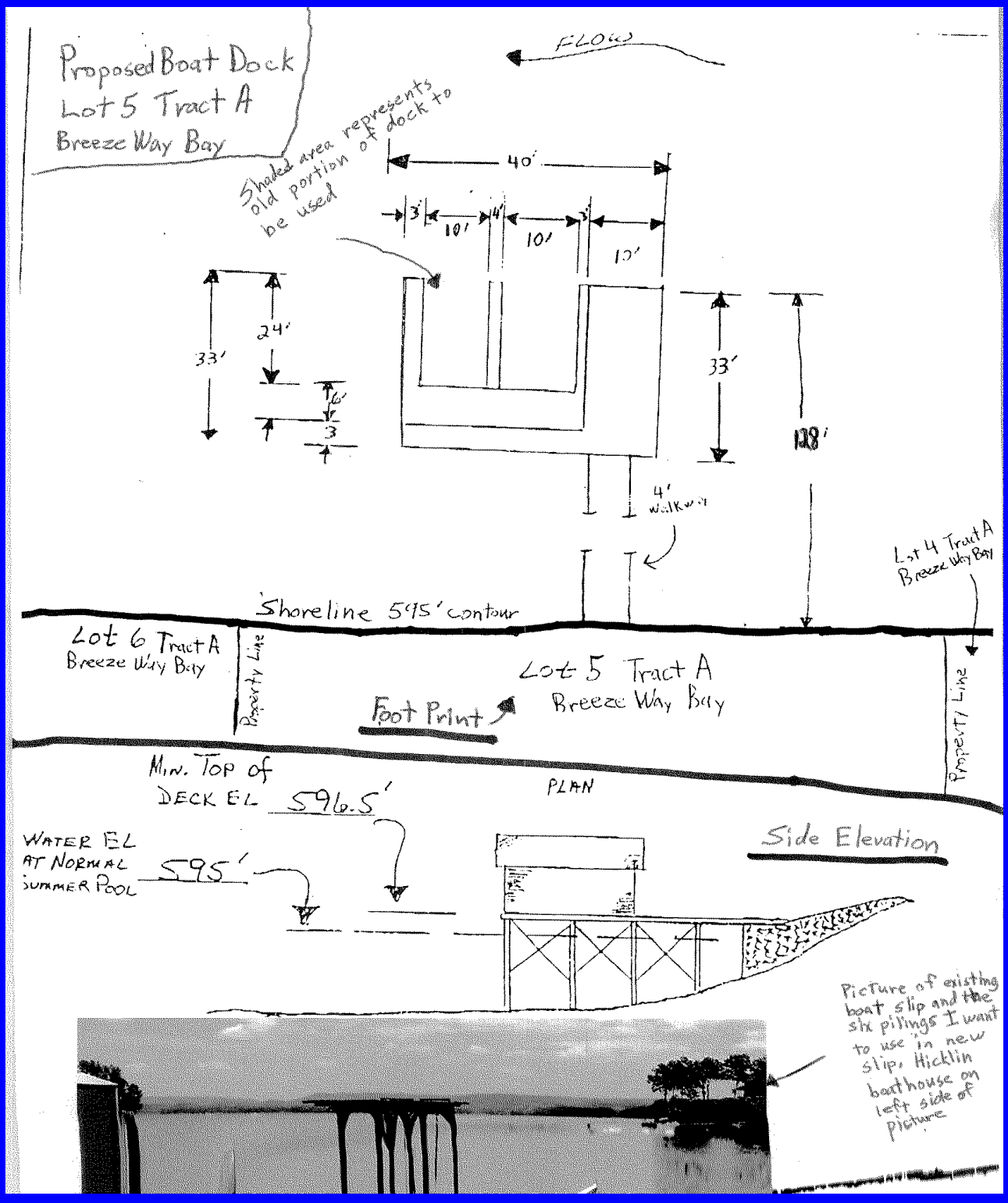
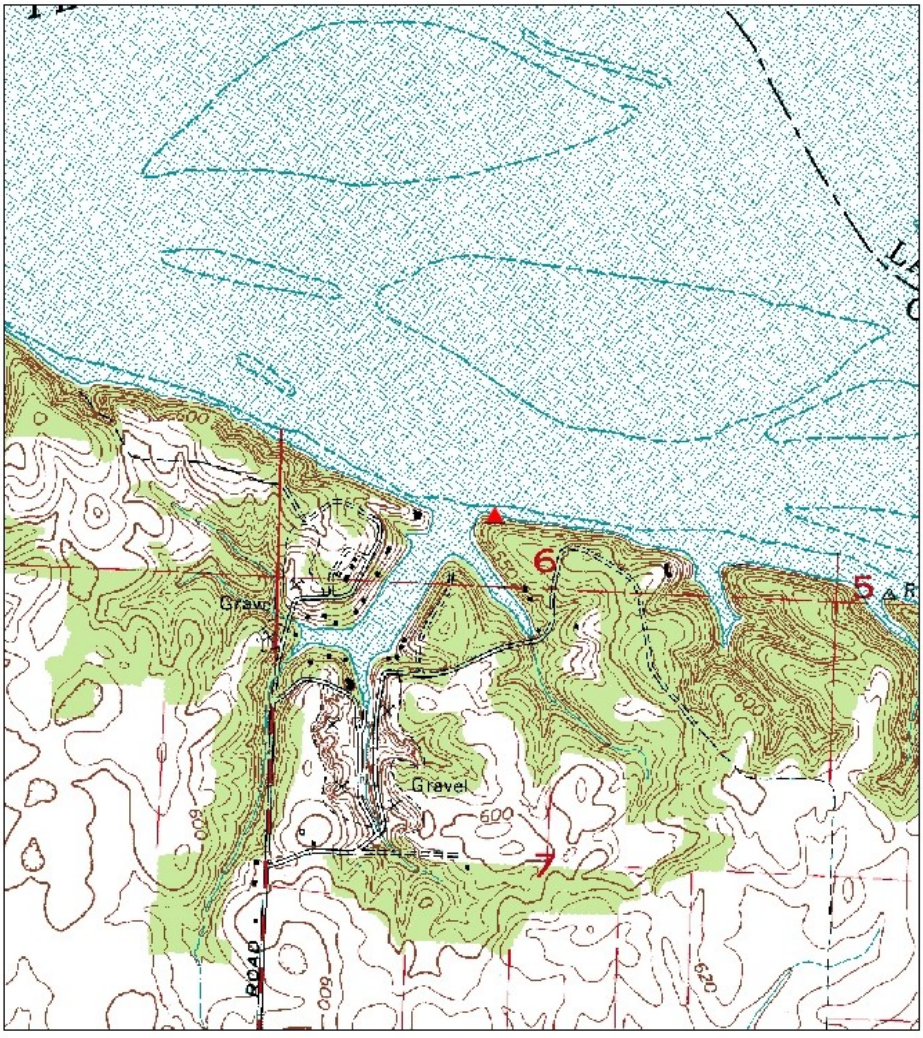
Regulatory Branch

Example of Drawing



Example of Location map



180149
Edward Barton
Wilson Reservoir
WDRE-58
Peninsula Points Lots 10 &11
TRM 266.9L
Map 6D

N
W E
S

▲ Barton Location

6-27-2007

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Example of Project Description Photo

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Example of Project Description Photo

DATA FORM
ROUTINE WETLAND DETERMINATION
(1987 COE Wetlands Delineation Manual)

Project/Site:	Date:
Applicant/Owner:	County:
Investigator:	State:
Do Normal Circumstances exist on the site? Pick One	Community ID:
Is the site significantly disturbed (Atypical Situation)? Pick One	Transect ID:
Is the area a potential Problem Area? Pick One	Plot ID:
(If needed, explain on reverse.)	

VEGETATION

Dominant Plant Species	Stratum	Indicator	Dominant Plant Species	Stratum	Indicator
1.		Pick One	9.		Pick One
2.		Pick One	10.		Pick One
3.		Pick One	11.		Pick One
4.		Pick One	12.		Pick One
5.		Pick One	13.		Pick One
6.		Pick One	14.		Pick One
7.		Pick One	15.		Pick One
8.		Pick One	16.		Pick One

Percent of Dominant Species that are OBL, FACW, or FAC (excluding FAC-):

Remarks:

HYDROLOGY

- ☐ Recorded Data (Describe in Remarks):
  - ☐ Stream, Lake, or Tide Gauge
  - ☐ Aerial Photographs
  - ☐ Other
- ☐ No Recorded Data Available

Field Observations:

- Depth of Surface Water: (in.)
- Depth to Free Water in Pit: (in.)
- Depth to Saturated Soil: (in.)

Wetland Hydrology Indicators:

Primary Indicators:
- ☐ Inundated
- ☐ Saturated in Upper 12 Inches
- ☐ Water Marks
- ☐ Drift Lines
- ☐ Sediment Deposits
- ☐ Drainage Patterns in Wetlands

Secondary Indicators (2 or more required):
- ☐ Oxidized Root Channels in Upper 12 Inches
- ☐ Water-Stained Leaves
- ☐ Local Soil Survey Data
- ☐ FAC-Neutral Test
- ☐ Other (Explain in Remarks)

Remarks:

Example of Project Description Photo

SOILS

Map Unit Name
(Series and Phase):

Drainage Class:
Field Observations
Confirm Mapped Type? Pick One

Taxonomy (Subgroup):

Profile Description:

Depth (Inches)	Horizon	Matrix Color (Munsell Moist)	Mottle Colors (Munsell Moist)	Mottle Abundance/ Contrast	Texture, Concretions, Structure, etc.

Hydric Soil Indicators:

- ☐ Histosol
- ☐ Histic Epipedon
- ☐ Sulfidic Odor
- ☐ Aquic Moisture Regime
- ☐ Reducing Conditions
- ☐ Gleyed or Low-Chroma Colors
- ☐ Concretions
- ☐ High Organic Content in Surface Layer in Sandy Soils
- ☐ Organic Streaking in Sandy Soils
- ☐ Listed on Local Hydric Soils List
- ☐ Listed on National Hydric Soils List
- ☐ Other (Explain in Remarks)

Remarks:

WETLAND DETERMINATION

Hydrophytic Vegetation Present? Pick One
Wetland Hydrology Present? Pick One
Hydric Soils Present? Pick One

Is this Sampling Point Within a Wetland? Pick One

Remarks:

Don't EVER give up!